

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
July 21, 2008
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER PETER L. CLOUGH
COUNCIL MEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU
ATTORNEY CHRISTINA E. STONE**

City Manager Corriveau presented the following reports to the Council:

- 1 - Approving Public Benefit Services Agreement Between The City of Watertown and the Jefferson County Historical Society
- 2 - Approving Public Benefit Services Agreement Between The City of Watertown and Blackwater Development
- 3 - Approving the Agreement with Mary Ellen Kalil Shevalier for Muralist Services
- 4 - Accepting Bid for GPS Survey System – Waypoint Technology Group
- 5 - Accepting Bid for Court Street Vault Infill Project –Bat-Con, Inc.
- 6 - Approving the Grant Disbursement Agreement with Empire State Development Corporation for a 2006 Restore NY Grant – Franklin Building
- 7 - Approving the Grant Disbursement Agreement with Empire State Development Corporation for a 2007 Restore Grant – Riverview Plaza
- 8- City Manager's July 2008 Update Report currently available on City's Website

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of July 8, 2008 was dispensed with and accepted as written by motion of Council Member Clough, seconded by Council Member Smith and carried with all voting in favor thereof.

COMMUNICATIONS

No communications were presented.

PRIVILEGE OF THE FLOOR

Prior to the privilege of the floor, Mayor Graham advised that this is an opportunity to say what you want on any topic and not an opportunity to engage in a one on one discussion with Council or staff. He also advised that comments must be addressed to the chair. He commented that if Council members want to raise a certain subject and input from the audience is needed, it will be allowed and there will not be a time limit.

Bart Bonner, Brookside Drive, addressed the chair regarding the fact that he is opposed to a dog park. He commented that if they want a dog park, they should pay for it. He explained that the City has the most beautiful park in the country and he sees dogs being walked there all the time.

Mr. Bonner also commented on the situation with Mr. Sub's driveway. He explained that he told Mr. Farone that he should go to a judge and get a stop work order. Mr. Bonner referred to the case of Hage vs. United States which was recently settled in Arizona. The case involved grazing, ditch and water rights being taken away from the Hages who were ranchers in Arizona. The judge concluded that the United States violated the embedded property rights of the Hages. Mr. Bonner stated that the City has treated Mr. Farone unfairly. He also commented that he feels if Mr. Farone follows his advice, he will end up suing the City of Watertown.

Wayne Zimmer, Katherine Street, addressed the chair stating that the crosswalk from the Baptist Church over to Mr. Sub is a safety hazard. He explained that after vehicles have been waiting at the Mill Street intersection they are ready to speed up and they will drive right into the crosswalk, which is on a curve. He asked what would happen when large trucks can't get through Public Square to make deliveries to the businesses located there.

Marissa Richardson, Paddock Street, addressed the chair stating that the City has not been fair to Mr. Farone. She commented that the City hasn't been fair to the dog park. She stated that when the City made an account for the dog park funds, they had a responsibility to follow through. Ms. Richardson commented that she didn't understand the reason for not having a dog park.

Carl Farone, owner of Mr. Sub, addressed the chair asking what the City Engineer found out about the driveway.

Mayor Graham advised that this would be discussed during new business.

Shar Burton, 1229 Faichney Drive, addressed the chair in support of the dog park. She stated that she has 9 years of experience working with dogs. She explained that dogs have a hard time communicating to one another while on a leash and that in order to explore each other they have to be off the leash. She remarked that it might lower the rates of dog bites and dog fights if the City had a dog park.

George Howard, Sherman Street, addressed the chair in support of the dog park. He explained that he had a service dog. He remarked that people have taken it upon themselves to develop a dog park and the City has failed to support it or to be proactive in developing an area or offering

assistance.

Toni LaClair, Sackets Harbor, addressed the chair in support of a dog park. She said that she brings her dogs into the City every day to exercise and that she plans on moving into the City next year.

Melissa Gonyeau, Central Street, addressed the chair in support of a dog park. She suggested having something new. She also commented that not everyone takes their dogs to Thompson Park and not everyone at Thompson Park likes dogs.

Megan Ryan, Bronson Street, addressed the chair explaining that she works at Petco and everyone at Petco wants a dog park. She stated that she has an American Eskimo dog which has grown up to be dog aggressive. She advised Council that this could have been prevented if there was a dog park. She stated that she a little yard and she feels that it's not fair.

Molly Outwater, Pratt Street, addressed the chair in support of the dog park. She stated that her dog had been attacked while on a leash on Thompson Boulevard. She explained that she has been taking her dog to doggy daycare in an effort to have the dog socialize.

Becca Puccia, College Heights, addressed the chair explaining that she had been dog sitting a Doberman and had it off the leash on a trail in Thompson Park. It scared a child and the police were called. She also commented that it is very painful to see dogs in cages at the SPCA. She expressed her support for the dog park.

S.G. Gates, Dorsey Street, addressed the chair and stated that he had started this project as therapy for his back pain. However, since he has had to deal with a lot of stuff, he has more pain. He stated that he tried to do something good for the community. He remarked that he was given a March 31st deadline. However, that deadline was removed. He referred to articles in the Watertown Daily Times and remarked that any problems could have been worked out. He stated that he felt he had a verbal contract with the City. He commented that he wants the City to let him keep doing what he and the group are doing.

RESOLUTIONS

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City Council has received a request for funding to support the promotion of the Jefferson County Historical Society, and

WHEREAS the City Council of the City of Watertown desires to appropriate \$5,000 from the FY 2008-09 Tourism Fund to support the Jefferson County Historical Society, and

WHEREAS the Jefferson County Historical Society will expend the funds to market and promote the City of Watertown through the public media, print, radio, television, direct contact and other promotional devices and that this will encourage tourism in the City of Watertown, and

WHEREAS the City of Watertown wishes to enter into an Agreement for Public Benefit Services between the City of Watertown and the Jefferson County Historical Society, a copy of which is attached and made a part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves a Public Benefit Services Agreement between the City of Watertown, New York and the Jefferson County Historical Society, and

BE IT FURTHER RESOLVED that City Manager Mary Corriveau is hereby authorized and directed to execute the Agreement on behalf of the City Council.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER BURNS ABSTAINING

Prior to the vote on the foregoing resolution, Council Member Burns explained that she would recuse herself from the vote on the resolution due to the fact that she is currently the president of the Jefferson County Historical Society's Board of Directors.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City Council has received a request for funding to support the promotion and marketing of Blackwater Development, and

WHEREAS the City Council of the City of Watertown desires to appropriate \$8,500 from the FY 2008-09 Tourism Account to support Blackwater Development, and

WHEREAS Blackwater Development will expend the funds to market and promote the City of Watertown through the public media, print, radio, television, direct contact and other promotional devices and that this will encourage tourism in the City of Watertown, and

WHEREAS the City of Watertown wishes to enter into an Agreement for Public Benefit Services between the City of Watertown and Blackwater Development, a copy of which is attached and made a part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves a Public Benefit Services Agreement between the City of Watertown, New York and Blackwater Development, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the Agreement on behalf of the City Council.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS

Commenting on the foregoing resolution, Council Member Clough questioned the need for 8 local billboards.

Council Member Burns remarked that she had some concerns about that as well. She commented that she can understand advertising outside the area but questioned the need for 8 billboards around the City. She remarked that she felt this money could be better spent in some other media advertising.

Council Member Smith remarked that he didn't have a problem supporting local advertising. However, he would rather see money for national media and targeting kayakers nationwide.

Mayor Graham commented that he wasn't sure that Council wanted to get into the advertising mix. He remarked that he questioned funding advertising for events. He stated that he has less of a problem with the billboards than he does with print advertising.

Mayor Graham remarked that the City was moving a rock in the river when word got out that a second rock was there. Blogs were telling people not to come to Watertown and this was unfortunate. The second rock will be removed and the City is supporting and maintaining infrastructure for these events.

Council Member Burns referred to the advertising package for the funding of banners, posters and graphic designs. She asked how the package came about and if Mr. O'Riley had contacted the kayakers.

Mrs. Corriveau explained that Mr. O'Riley submitted a request and Council asked for more details. Mr. O'Riley provided this packet and she didn't know if Mr. O'Riley had contacted kayakers.

Council Member Clough remarked that most of the advertising is local. However, most people in the City know that we have this event. He stated that he felt that the advertising was being directed in the wrong direction.

Mrs. Corriveau explained that the national media coverage came after the event. Film crews came in and filmed the event and then it ran in the national media. The advertising funded last year is very similar to this year.

Mayor Graham remarked that if it is true that people will bypass the City, it certainly is an issue.

Council was advised that the cost of moving the first rock was \$7,920 and the estimate for the second rock is \$3,200.

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO AMEND THE AMOUNT TO \$6,000. MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER BURNS AND MAYOR GRAHAM VOTING NAY.

Council Member Burns remarked that given the amount the City is spending on rock removal, she would be hard pressed to support \$6,000. She stated that \$5,000 would be adequate for a two-day event.

Mrs. Corriveau advised that this resolution is for two events, each three days in length. One will occur in August and one in September.

Council Member Butler remarked that he supports the endeavor and would support the \$6,000 figure. He asked if this was a sanctioned event.

Mr. O'Riley stated that it was. He remarked that perhaps 8 billboards is overkill. However, Blackwater is totally capable to extend their services as they have connections for national media. He also commented that this program reaches over 1.2 million people. He also commented that bed tax money is for destination marketing.

Mr. O'Riley also explained that Eric Jackson had looked at the wave and the rock is the problem.

Council Member Smith stated that he'd be interested in a packet at budget time which would outline data, statistics, etc. and looks to drawing outside people into the area.

Council Member Clough asked what would happen once the rock was removed and the wave didn't change. He asked if it would then be a moot point.

Mr. O'Riley explained that there is another place in the river that could be used.

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO TABLE THE FOREGOING RESOLUTION. MOTION WAS SECONDED BY COUNCIL MEMBER BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the New York State Department of State, Division of Coastal Resources has awarded the City of Watertown a \$50,000 grant under Title 11 of the Environmental Protection Fund to implement a Downtown Awareness Campaign, and

WHEREAS the design, creation and placement of a mural is one of the projects funded under the Downtown Awareness Campaign, and

WHEREAS upon review and committee approval, the City desires to enter into an Agreement with Mary Ellen Kalil Shevalier for this project,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed to enter into and execute the contract with Mary Ellen Kalil Shevalier on behalf of the City Council of the City of Watertown.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS

Commenting on the foregoing resolution, Council Member Burns asked if the cost was the exact amount remaining from the grant funds. She was advised that it was.

Council Member Burns asked about getting the paint from California and not locally.

Mrs. Hoffman advised that this is specific paint that was recommended and used by the Philadelphia mural program. She explained that it has an average 20 year life span.

Council Member Burns asked about the selection of the mural.

Mrs. Corriveau explained that the committee worked with the muralist and the owners of the building to come up with the design.

Council Member Burns asked how the Urban Mission building was selected.

Ms. Hoffman advised that the Urban Mission offered it.

Mrs. Corriveau explained that there were not enough funds to fund murals on Cam's or the Empsall building, which was also in transition over time.

Referring to the amended contract, Mrs. Corriveau advised that this is merely stating the exact work that will be done.

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO AMEND THE RESOLUTION TO REFLECT THE CHANGES TO THE CONTRACT FROM THE ORIGINAL ONE THAT APPEARED IN THE AGENDA PACKET. MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AS AMENDED AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of one new and unused GPS Survey System, per City specifications, for use by our IT and Water Departments, and

WHEREAS invitations to bid were issued to five (5) prospective bidders, with only one (1) bid being received, and

WHEREAS on Tuesday, July 15, 2008, at 11:00 a.m., the bid received was publicly opened and read in the City Purchasing Department, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bid received with Matt Owen, GIS Coordinator, Michael Hoyt, GIS Technician and Gary Pilon, Superintendent of Water, and it is his recommendation that the City Council accept the sole bid submitted by

Waypoint Technology Group, Albany, New York, for one new and unused GPS Survey System, for use by our IT and Water Departments, in the amount of \$26,616.00

NOW THEREFORE BE IT RESOLVED that the City Council accepts the bid submitted by Waypoint Technology Group, 17 Computer Drive East, Albany, New York 12205, in the amount of \$26,616.00, for one new and unused GPS Survey System, per City specifications, for use by our IT and Water Departments.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City Purchasing Department has advertised and received sealed bids for labor and material to infill the vault at 150 Court Street, per our specifications, and

WHEREAS invitations to bid were issued to three (3) prospective bidders with three (3) bids being received, and

WHEREAS on Monday, July 14, 2008, at 1:30 p.m., the bids received were publicly opened and read in the City Purchasing Department, and

WHEREAS City Purchasing Agent Robert J. Cleaver reviewed the bids received with City Engineer Kurt Hauk and he is recommending that the City Council accept the bid submitted by Bat-Con, Inc., Marcellus, New York, in the amount of \$29,000, the lowest qualifying bidder meeting City specifications, for labor and material to infill the vault at 150 Court Street,

NOW THEREFORE BE IT RESOLVED that the City Council accepts the bid submitted by Bat-Con, Inc., Marcellus, New York, in the amount of \$29,000, for labor and material to infill the vault at 150 Court Street, per City specifications.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

Commenting on the foregoing resolution, Council Member Smith remarked that Mr. Bradley had a quote for \$19,600 and he questioned why the bid came in at \$29,000.

Mayor Graham explained that a municipality has to adhere to the prevailing wage laws.

Council Member Smith asked if this could be done under a professional services agreement.

Mrs. Corriveau advised that it could not be done that way as it is deemed to be a public work.

Council Member Butler asked if there was a breakdown of the \$29,000 in terms of labor versus the cost of materials.

Mr. Hauk stated that it was not broken down.

Mayor Graham remarked that to the best of the City's knowledge, there are three vaults left. This is one of them and all the ones are filled on Public Square.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS by resolution adopted September 5, 2006, the City Council authorized the application for a Restore NY Grant to the New York State Urban Development Corporation dba Empire State Development Corporation to secure funding for the rehabilitation of the Franklin Building, and

WHEREAS Empire State Development Corporation awarded the City \$1,550,000 for the Franklin Building project, and

WHEREAS it is necessary to enter into a formal Grant Disbursement Agreement with Empire State Development Corporation, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby approves the Grant Disbursement Agreement between the City of Watertown and New York State Urban Development Corporation dba Empire State Development Corporation for the 2006 Restore NY Grant in the amount of \$1,550,000, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, is hereby authorized and directed to execute the Grant Disbursement Agreement and any other certifications or documents required to accept the grant and administer the program.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS by resolution adopted September 17, 2007, the City Council authorized an application to the Restore NY Program to secure funding for the rehabilitation of 497 Newell Street to be known as Riverview Plaza, and

WHEREAS New York State Urban Development Corporation dba Empire State Development Corporation awarded the City \$1,006,147 for the project, and

WHEREAS it is necessary to enter into a formal Grant Disbursement Agreement with Empire State Development Corporation, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby approves the Grant Disbursement Agreement between the City of

Watertown and New York State Urban Development Corporation dba Empire State Development Corporation, for the 2007 Restore NY Grant in the amount of \$1,006,147, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, is hereby authorized and directed to execute the Grant Disbursement Agreement and any other certifications or documents required to accept the grant and administer the program.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEAS

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Access to 109 Mill Street (Mr. Sub)

Mr. Hauk, City Engineer, gave a presentation concerning this property. He explained that the department had performed a search of records in an attempt to answer questions from the previous Council meeting. The following permits were found. One curb cut permit was issued on July 26, 1961 and it allowed as 30 foot long curb cut on the Mill Street side. This was issued for a Shell gas station that was being constructed at the time. A sewer lateral permit and catch basin were also issued on August 18, 1961 as part of the construction. No other permits pertaining to curb cuts were found.

Mr. Hauk explained that three options were evaluated. Option one was to evaluate the feasibility of access for a delivery vehicle from the J.B. Wise parking lot and was not recommended due to the overhang of the building being inside the clearance envelope for the trailer. Also, the proposed path would significantly alter the grading and would eliminate parking for a large portion of the lot. In addition, the vehicle will block the sidewalk for this path unless the vehicle pulls into the lot and then backs up to realign with the path. This would further limit parking if this access method was utilized as the area would need to remain clear. Also, the pathway would become a de facto uncontrolled exit from J.B. Wise lot across private property onto Mill St.

The second option was to evaluate the feasibility of access for a delivery vehicle from Black River Parkway and was also not recommended due to the fact that the proposed path would significantly alter the grading and would eliminate parking for a large portion of the lot. In addition, the vehicle would block both the sidewalk along Mill St. and the J.B. Wise walks unless the vehicle pulled into the lot and then backed up to realign with the path. This would further limit parking. Also, the pathway would become a de facto uncontrolled access onto Mill St. across private property and would in effect allow drivers on Black River Parkway turning right to cross private property to gain access to Mill St. without having to wait at the signalized intersection.

The third option was for a loading area from J.B. Wise Parking lot. This option was recommended because it does not cause the issues listed in Option one or two. It would facilitate off loading by providing a designated area for delivery vehicles. An extension of sidewalk could be added to allow for easy use of hand carts.

Mayor Graham remarked that these options don't address the issue if the purpose was to provide another access for getting customers on to and off of the property.

Mr. Hauk remarked that at the last meeting, the questions were about delivery vehicles.

Mayor Graham remarked that he sees delivery trucks stopping on the road in front of businesses on Public Square. He remarked that the concern was the ability of customers to get in and out of there. This whole corner has created problems and allegations. We have seemed to dismiss all of this and say that it was Clough Harbour who designed it. He asked Mr. Hauk if these criticisms are valid.

Council Member Clough remarked that there are also concerns about trucks already going over the curbs on Public Square corners.

Mr. Hauk advised that all turns were designed for WB-40 vehicles. This is a tractor trailer with a trailer length of 33 feet. Mr. Hauk explained that after meeting with Mr. Lennox, the curbing for east to west traffic was adjusted to accommodate the larger interstate type vehicles. However, going north to south, these vehicles will have trouble making the turns around Public Square. He remarked that there have been talks about designating truck routes. He also commented that he was amazed that New York State approved this design when Route 3 is part of the National Highway System.

Council Member Smith questioned when it was realized that the north –south route would be a problem. He remarked that it would seem that if the bump out islands were made smaller, this would solve the problem.

Mr. Hauk explained that it would necessitate a complete redesign of the entire project. He said that the problem was discovered when they were in discussions with Lennox last winter.

Council Member Burns asked if we had any idea how many businesses require deliveries from vehicles larger than WB-40.

Mrs. Corriveau remarked that she has seen tractor trailers make the turns and it depends on how good a driver they are.

Council Member Smith asked if we are looking for alternative routes.

Mrs. Corriveau stated that they are.

Council Member Butler questioned if the GPS unit will have trucks coming down Washington to try to turn on to Mill. He stated that the City needs to get signage out and was curious as to what Clough Harbour had to say about these design concerns. He also remarked that he had been receiving a lot of calls on this.

Mr. Hauk explained that Clough Harbour designed this per the City's design report.

Council Member Smith questioned why the City's design report was based on WB-40 vehicles.

Mayor Graham referred back to Mr. Hauk's presentation concerning 109 Mill Street. He asked if option three mitigates Mr. Farone's concerns and the public relations concerns. He asked if this addressed the concern of the property owner.

Mr. Farone responded that cars have gone out of his property to Public Square for 50 years. He then presented Council with copies of the 2001 design whereby it showed two exits on his property with the existing driveway. He also showed the 2003 design whereby it says "existing driveway to be closed". He said no one contacted him about the change in the 2001 design. Mr. Farone remarked that the loading zone or the Black River Parkway entrance is of no concern to him. He stated he wanted his exit, which he has used for 32 years, back.

Mayor Graham remarked that the fact is that the plan called for the elimination of it. He questioned if Council wants to reverse that.

Council Member Butler commented that he is not sure he has enough information to make a decision tonight. He remarked that he wants to know the cost to give Mr. Farone his driveway back. He said that it was a driveway for years and then was taken away. However, the cost would have to be taken into consideration.

Council Member Smith asked if construction would have to be stopped this year if this was changed.

Mr. Hauk stated that it would have to be stopped in that area of Public Square.

Mayor Graham asked about the possibility for an accommodation to be made and if there was a way to do that if Council would be willing to consider it.

Mr. Hauk explained that they would have to design scenarios and come up with the costs. However, he advised that just because something is existing, it has to meet current codes.

Council Member Clough commented that he agrees with Council Member Butler and he can't see any harm in looking at it.

Mr. Hauk advised that they can get an estimate for man hours for the redesign.

Council Member Butler asked for Chief Goss's input and also for the number of accidents that have occurred on that corner.

Council Member Smith remarked that someone should ask Mr. Krupkin if he minds losing a couple of parking spaces if this change is made.

Mayor Graham asked about negotiations.

Attorney Stone advised that the City would have to know that there are possible litigations down the road. There would have to be information on what the financial impact was and what the loss was to the business.

Mayor Graham remarked that this project's intent was to enhance downtown businesses.

Council Member Butler questioned what litigation could be brought as it is City property.

Attorney Stone commented that anyone can sue for anything.

Mrs. Corriveau advised Council that the estimate would be for what the redesign would cost, not what the reconstruction would cost.

Mayor Graham asked if it was worth having another firm take a look at this.

Mr. Hauk responded that he didn't think another engineering firm would come in. In addition, it would be more expensive as they would be starting from scratch.

Council concurred that they would like to get a cost estimate on the redesign.

Council Member Butler asked if Mr. Farone wanted the driveway for coming in or going out.

Mr. Farone responded that they won't come in if they can't get out. He suggested putting the crosswalk where it been for 60 years. He reiterated the fact that no one from the City came and talked with him after the change was made on the design in 2003. He also commented that his lawyer was not in attendance this evening because the City Engineer didn't get back to him.

Mayor Graham asked that the report on the redesign estimates be given to Council as soon as they are completed and that Mr. Farone also be kept in the loop on this.

138-140 Court Street

Council Member Burns asked what property this was.

Mrs. Corriveau advised that it was the old Berow and Monroe building, which has code issues.

Traffic Study

Council Member Butler asked about this.

Mr. Hauk explained that the consultants have the data but need to expand the accident report history. Once all the information is back, it will be forwarded to Chief Goss and then a report will go to Council.

Water in Davidson Street Area

Council Member Clough remarked that he had received a call from Mr. Leary about water in that area again.

Mrs. Corriveau advised that one tree was taken down and the crews are working their way back up from LeRay Street to complete the on-going investigation of this sewer system.

Woolworth Building

Council Member Clough asked for an update on this building for the next meeting.

Mrs. Corriveau advised that the ownership changed hands last week.

Cosgrove/Iroquois

Council Member Smith asked if there had been any complaints during the heavy rainfalls.

Mr. Hauk said that he didn't know about the recent rains. However, there were no complaints in the spring.

DANC Sewer Lines

Council Member Smith commented that the residents on Route 3 that have been added on to the DANC line are paying far less than City residents and he objects to that.

Mrs. Corriveau explained that the contract has expired and they have exchanged contracts with DANC for review.

Council Member Smith stated that he doesn't want to see Route 3 residents paying less than a City resident.

Mrs. Corriveau explained that it is a complicated contract and part of what is negotiated is the process by which we do approvals.

Mr. Hauk also advised that we are responsible for anything that is connected to our system as it comes into our plant.

Council Member Smith responded that his concern is that DANC is getting people on their line and he doesn't think that the City taxpayers should be subsidizing the people on Route 3.

DANC Appointment

Mayor Graham advised that Mr. Hefferon's term will be expiring on the DANC board. He remarked that Council should do a better job of communicating the City's concerns with our representatives. Mayor Graham remarked that Mr. Hefferon will be contacted to see if he is

interested in being reappointed.

Meeting with Town of Watertown

Mayor Graham explained that the City Manager had been contacted by the Town of Watertown Supervisor to have a meeting consisting of them plus the Mayor and legal counsel for both the City and the Town. Mayor Graham stated that he said no to the idea. He stated that this is a public policy decision and there is no rationale to meet and pave the way for something that there is no consensus on.

ADJOURNMENT

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:25 P.M.
BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL
MEMBER BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Donna M. Dutton

City Clerk